

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 2/2/2016	(3) CONTACT/PHONE Mark Moore, Sr. Capital Project Coordinator, 805 781-5213	
(4) SUBJECT Update on the Women's Jail Expansion project; request to authorize a budget adjustment in the amount of \$50,000 from General Government Building Replacement Fund to the Women's Jail Expansion project budget for relocation of the Classification Unit, and approve and execute Standard Agreement Amendment #1 to the California Department of Corrections and Rehabilitation (CDCR) Standard Agreement (PR10237360) for the Women's Jail Expansion project located at 1585 Kansas Avenue, San Luis Obispo. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> <li>1. Receive and file the report on the current status of the Women's Jail Expansion project at 1585 Kansas Avenue in San Luis Obispo; and</li> <li>2. Authorize a budget adjustment in the amount of \$50,000 from General Government Building Replacement Fund (1202500000) to the Women's Jail Expansion project budget for the relocation of the Sheriff's Classification Unit by 4/5 vote; and</li> <li>3. Approve and execute Standard Agreement Amendment #1 to the California Department of Corrections and Rehabilitation (CDCR) Standard Agreement (PR10237360) and instruct the Chairperson to sign Standard Agreement Amendment #1.</li> </ol>			
(6) FUNDING SOURCE(S) State lease revenue bonds \$25.1 M, County Funds \$15.6 M: Detention Facility Reserve \$7.0 M Facility Planning Reserve \$4.5 M Criminal Justice Facility Construction Fund \$4.4 M General Fund \$0.7 M	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____ ) <input checked="" type="checkbox"/> Board Business (Time Est. <u>40 min</u> )			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: 1516077 <input checked="" type="checkbox"/> 4/5 Vote Required <input type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A    Date: <u>7/18/06; 7/17/06; 12/4/07; 1/29/08;</u> <u>3/11/08; 12/13/11; 4/10/12; 6/9/12; 8/28/12;</u> <u>4/2/13; 12/17/13; 1/28/14; 11/24/15.#14</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest, Administrative Office			
(18) SUPERVISOR DISTRICT(S) All Districts			

Reference: 16FEB02-BB-1

## County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works  
Mark Moore, Sr. Capital Project Coordinator

VIA: Dave Flynn, Deputy Director of Public Works  
Chief Rob Reid, Sheriff's Office

DATE: 2/2/2016

SUBJECT: Update on the Women's Jail Expansion project; request to authorize a budget adjustment in the amount of \$50,000 from General Government Building Replacement Fund to the Women's Jail Expansion project budget for relocation of the Classification Unit, and approve and execute Standard Agreement Amendment #1 to the California Department of Corrections and Rehabilitation (CDCR) Standard Agreement (PR10237360) for the Women's Jail Expansion project located at 1585 Kansas Avenue, San Luis Obispo. All Districts.

### **RECOMMENDATION**

It is recommended that the Board:

1. Receive and file the report on the current status of the Women's Jail Expansion project at 1585 Kansas Avenue in San Luis Obispo; and
2. Authorize a budget adjustment in the amount of \$50,000 from General Government Building Replacement Fund (1202500000) to the Women's Jail Expansion project budget for the relocation of the Sheriff's Classification Unit by 4/5 vote; and
3. Approve and execute Standard Agreement Amendment #1 to the California Department of Corrections and Rehabilitation (CDCR) Standard Agreement (PR10237360) and instruct the Chairperson to sign Standard Agreement Amendment #1.

### **DISCUSSION**

#### **Background**

The Women's Jail Expansion project will construct a 36,000 square foot addition to provide housing space for 198 female inmates and property storage area, and an additional 8,000 square foot building for medical, dental, and mental health services and other support programs for the entire jail population. The project includes upgrading the existing jail's security electronic system to a state of

the art security system. The overall project cost is estimated at \$40.7 million with the State of California providing \$25.1 million under AB900 grant funds.

In December 2013, the Board awarded a construction contract to Roebbelen Contracting, Inc. Contract award was \$27,797,000. A project construction change order contingency of \$2,779,700 (10%) was also approved at that time. A notice to proceed was issued February 24, 2014.

The Women's Jail Expansion project team consists of several diverse entities. The attached organizational chart has been provided to illustrate the members of the team. An Executive Committee was formed from key members and includes:

- County Public Works Department
- Sheriff's Office
- County Administrative Office
- General Contractor, Roebbelen Contracting, Inc.
- Construction Manager, ARCADIS
- Architect/Engineer, AECOM
- County Auditor's Office

This group is tasked with eliminating roadblocks encountered by the field team in an effort to speed resolution and allocate necessary resources.

#### I. Current Project Status

The project has been under construction for two years and is approximately 60% complete. Construction is currently within budget and is expected to be completed in January 2017, however, unresolved delay issues and pending work effort risks the project completion going beyond that date. Construction consists of two phases and seven milestones.

##### a. Phase 1

Phase 1 is the construction of the Women's Housing and includes Phase 1A, construction of a new Property Storage Area (PSA), renovation of existing Sergeant's offices, and remodel of an existing recreation yard; and Phase 1B, a facility wide upgrade of the Security Electronics system. Phase 1 consists of 6 Milestones:

- Milestone 1, submittal and approval of long lead equipment;
- Milestone 2, submittal and approval of detention hollow metal walls and floor decks;
- Milestone 3, construction of a temporary loading dock;
- Milestone 4, Property Storage Area, Sergeant's office and inmate recreation yard;
- Milestone 5, facility wide security electronics upgrade;

- Milestone 6, construction of the new Women's Housing building.

Milestones 1, 2, and 3 have been completed.

Milestone 4, Property Storage Area, Sergeant's office and recreation yard were completed and occupied in late December, 2015.

Milestone 5, Security Electronics Upgrade, is continuing with a factory acceptance test of the system tentatively scheduled for late February 2016.

Milestone 6, the Women's Housing unit, began construction in February 2014 and is 60-65% complete. The building has been weathered in allowing work to continue during inclement weather. Site utilities and infrastructure is nearing completion. Installation of the detention hollow metal wall panels and decking has been completed and installation of permanent furniture has started. Installation of building interior infrastructure, utilities, and finishes are continuing.

**The Milestone Schedule, attached indicates the Critical path schedule in red and shows Milestone 6 as approximately six months behind the initial milestone deadline.**

b. Phase 2

Phase 2 consists of Milestone 7, demolition of the existing Women's Jail and construction of the Medical and Programs facility. Milestone 7 is scheduled to start 30 days after completion of Milestone 6. This 30 day period between milestones allows for transfer of inmates and a shakedown interval for the new Housing building.

There have been fifteen Construction Change Orders (CCO) approved with two CCO's pending approval for a total expense of \$1,021,171. The Board approved a construction change order contingency budget of \$2,779,700 at the time the construction contract was awarded. The Public Contract Code, Section 20142, limits single CCO to \$210,000 and aggregate CCO for this project to \$1,402,350. Any Future individual CCO exceeding these limits, will be brought to your Board for approval. A detailed list of all currently approved CCOs is attached.

As noted above, the Contractor is reporting a 172 day delay to the schedule. This delay would push completion of the project to the end of January 2017 but remains within the three year completion window under the funding agreement with the State.

II. Impacts/Risks

a. Funding/Finance

1. Reimbursement Payments: On November 24, 2015 your Board approved a first Amendment to the Board of State and Community Corrections (BSCC) Jail Construction Agreement. This Amendment extended the completion date of construction to mid-February 2017. A supplemental document, California Department of Corrections and

Rehabilitation Standard Agreement (PR 10237360) also expired on March 15, 2015. This document is an invoicing contract authorizing the State to reimburse the County for eligible construction costs as described in the BSCC Jail Construction Agreement. California Department of Corrections and Rehabilitation (CDCR) Standard Agreement Amendment #1 extends the period of the CDCR Standard Agreement (PR 10237360) to June 30, 2017. Approving CDCR Standard Agreement Amendment #1 will allow the State to resume reimbursement payments and continue reimbursements through construction completion and occupancy of the Medical/Programs facility.

## 2. Oversight Costs

Another immediate impact of the delay to the project is the necessity of extending our consultant contracts. The Construction Management, Architect/Engineer, and Inspector of Record contracts were established based on a 32 month construction period and staffing plans will need to be re-evaluated for the extended time. The County's own staffing will need to be evaluated for impacts both to the direct management but also the added effort through the Public Works Department. It is anticipated we will return to your Board with Amendments to these contracts to address extension in time. Other time base contracts include Terra Verde, environmental monitoring and reporting, and Civil Design Studio, Storm Water Pollution Prevention, and their contracts will also require extensions.

The project architect has been put on notice of potential reimbursement requirements based on additional oversight costs involved on clarification of project documents.

### b. Potential Claims:

Additional impacts and risk include claims by the Contractor. These are claims for extended time and costs outside the construction contract and not included in the approved CCOs. Roebbelen Contracting, Inc. has submitted a significant claim for time and material for caisson and foundation work based on differing site conditions. On-going negotiations to resolve their claim has yet to result in an agreeable resolution.

Additional claims are anticipated but have not been submitted by the contractor. They include change in construction of the hollow metal detention wall panels and increase in project management staffing required due to the number of Request for Information submissions.

### c. Schedule

Potential for rain delays are being mitigated by the "weathering-in" of the Housing building and the site. Demolition and construction of the Medical/Programs building is now scheduled to begin outside of the rainy season. Rain days have been included in the construction contract, 31 days per year based on monthly averages; only 16 of 57 have been used to date.

A key component to completing the project on time is the installation and testing of the security system; both new for the expanded facility and an upgrade to the existing system. System components are being expedited by the Contractor for final testing this February.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

An Executive Steering Committee has been established for this project, with participants from the Sheriff's Office, Auditor-Controller-Treasurer-Tax Collector, County Administrative Office, County Counsel, and Public Works. The committee is actively involved in conducting project oversight. The Sheriff's office is active and engaged with the project team in the field on a daily basis.

The California Board of State and Community Corrections, California Department of Corrections and Rehabilitation and the California Department of Finance have been involved from grant award and continue to be an integral part of the funding process.

County Counsel is providing legal guidance on all aspects of the Women's Jail Expansion project and reviews project documents for form and legal effect.

## **FINANCIAL CONSIDERATIONS**

Expenses through November 2015 are shown in Exhibit A, Table No. 1 and include expenses for construction, Architectural/Engineering services, California Environmental Quality Act (CEQA) (which include services for monitoring, reporting and mitigation required by State and Federal environmental permits) Construction Management, Inspector of Record, Testing and Special Inspection, Commissioning, and County staffing. The project is currently within the established project budget, however, oversight costs through the planned project completion is expected to cost an additional \$300,000. This amount may be funded out of remaining project contingency but we will need to revisit this with the Board when we bring forth extensions to the professional service agreement contracts.

Public Works Department is requesting authorization of a budget adjustment in the amount of \$50,000 from General Government Building Replacement Fund (1202500000) to the Women's Jail Expansion project budget, #300034 for the relocation of the Sheriff's Classification Unit. The relocation of the Classification Unit is necessary to allow the construction of a temporary transfer corridor allowing the safe and secure movement of inmates within the jail during demolition of the existing female jail and construction of the Medical/Programs facility.

The process of reimbursement from the State Controller requires a supplemental internal fiscal document, CDCR Standard Agreement (PR 10237360). The current Agreement expired March 15, 2015 forcing the termination of reimbursements. CDCR Standard Agreement Amendment #1 revises the term of the Standard Agreement to expire June 30, 2017 and allows the State to resume reimbursements through construction completion and occupancy.

Currently, \$11,340,505 in reimbursements has been received from the State. The County has continued to submit invoices for reimbursement in anticipation of a quick return of all invoices once payments are restarted.

The County's share of the \$40,744,786 (not including the \$50,000 augmentation recommended for approval under this staff report) estimated costs to complete the housing unit, medical facility and security system, is \$15,619,156. Exhibit A, Table No. 2 summarizes in broad terms the overall anticipated sources of funding for the project.

## **RESULTS**

The Women's Jail Expansion project will expand the capacity of the Women's Jail by up to 155 beds, alleviate overcrowding conditions, and provide capacity for the future. It will also provide improved medical facilities for both male and female inmates and additional space for rehabilitation programs such as counseling and education. State funding will provide \$25.1 million offsetting approximately 75% of the cost for the housing unit, medical facility and security system associated with those units. The facility improvements will contribute to a safer and well governed community.

## **ATTACHMENTS**

1. Vicinity Map
2. Site Layout Map
3. Exhibit A – Budget/Funding Tables
4. Chronology of Board Actions
5. Construction Team Organizational Chart
6. Construction Change Order Log
7. Milestone Schedule
8. Milestone Summary
9. California Department of Corrections and Rehabilitation Standard Agreement Amendment #1

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